

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
BECKLEY DIVISION

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 5:01-00004-04

NATHAN L. SMITH

MEMORANDUM OPINION AND ORDER

On May 6, 2019, counsel for defendant filed a memorandum addressing defendant's eligibility for a reduced sentence under the First Step Act. (ECF No. 824).<sup>\*</sup> Counsel for defendant argues that defendant is eligible for a reduction. The United States is hereby **ORDERED** to file a response to defendant's memorandum no later than May 16, 2019.

The court **DIRECTS** the Clerk to send a copy of this Order to the Federal Public Defender, the United States Attorney, the United States Probation Office, and the United States Marshal.

**IT IS SO ORDERED** this 8th of May, 2019.

ENTER:



David A. Faber  
Senior United States District Judge

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<sup>\*</sup> Defendant had earlier filed a pro se motion to reduce his term of imprisonment pursuant to the First Step Act. (ECF No. 819).